

UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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Kristopher Justinboyer Ervin, et. al,  
Appellant,  
v.

No. 23-13062

United States of America  
Appellee.

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**APPELLANT MATTHEW HOOVER'S UNOPPOSED MOTION  
FOR EXTENSION OF TIME**

On previous motion for extension, this Court established that Appellant's brief, should no transcripts be ordered, be due December 19, 2023. Because of the complicating factors which will be discussed below, Appellant Hoover, who is presently incarcerated respectfully moves this honorable Court for a 30-day extension of time to file his opening brief. Counsel for Hoover conferred with counsel for the United States Sean Siekkinen, who had no objection to the filing of this motion.

Good cause for the extension exists for the following reasons:

- 1) The appeal poses complicated Constitutional issues, and the incarcerated state of Appellant has made conferring on the

appellate strategy difficult. In the preceding weeks, Appellant has moved facilities several times and thus has been unable to meaningfully participate. The additional time will allow Appellant to fully comprehend Appellant counsel's opening brief and to best reflect and protect Appellant's rights.

- 2) Several significant developments in the several circuit courts of appeal have caused Appellant to revise arguments.
- 3) Given the related nature of the appeal, Appellant Hoover had anticipated collaborating with co-appellant Ervin, but the record in the district court on December 4, 2023 shows that counsel for co-appellant Ervin has only just appeared. An extension of time would better preserve resources for all parties, and this honorable Court.
- 4) Given the above, counsel for appellant Hoover fears he cannot adequately prepare his opening brief by December 19, 2023.
- 5) Counsel for Hoover believes the requested extension would completely cure the above complications.
- 6) No party would be prejudiced by the granting of the relief requested.

**WHEREFORE**, appellant Hoover respectfully requests this honorable Court grant a 30-day extension of time to file his opening brief.

Respectfully submitted this 4th day of December, 2023,

/s/ Matthew Larosiere

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**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT,  
TYPEFACE REQUIREMENTS, AND TYPE-STYLE  
REQUIREMENTS**

This document complies with the word limit of FRAP 27(d)(2),  
because, excluding the parts of the document exempted by FRAP 32(f),  
this document contains 297 words.

This document complies with the typeface requirements of FRAP  
32(a)(5) and the type-style requirements of FRAP 32(a)(6)

/s/ Matthew Larosiere

Attorney for Appellant Matthew Raymond Hoover

Dated: this 4th day of December, 2023

**UNITED STATES COURT OF APPEALS FOR THE ELEVENTH  
CIRCUIT**

**CERTIFICATE OF INTERESTED PERSONS AND CORPORATE  
DISCLOSURE STATEMENT (CIP)**

*USA v. Kristopher Ervin, et al*, Appeal No. 23-13062. Pursuant to 11th Cir. R. 26.1-1(a), Appellant files this Certificate of Interested Persons and Corporate Disclosure Statement. The following are all trial judges, attorneys, persons, associations of persons, firms, partnerships, or corporations that have an interest in the outcome of this case or appeal, including subsidiaries, conglomerates, affiliates, parent corporations, any publicly held corporation that owns 10% or more of the party's stock, and other identifiable legal entities related to a party known to the undersigned.

1. Barksdale, Hon. Patricia D., United States Magistrate Judge
2. Call, Lisa, Federal Public Defender's Office
3. Corrigan, Hon. Timothy J., United States District Judge
4. Ervin, Kristopher Justinboyer (Defendant)
5. Handberg, Roger B., United States Attorney
6. Hoover, Erica (Defendant's Wife)
7. Hoover, Matthew Raymond (Defendant)

8. Hoppmann, Karin, former Acting United States Attorney
9. Howard, Marcia Morales (Trial Judge)
10. King, Alex, Esq.
11. Klindt, Hon. James R., United States Magistrate Judge
12. Larosiére, Matthew (Defendant's attorney)
13. Lopez, Maria Chapa, former United States Attorney
14. Mesrobian, David B., Assistant United States Attorney
15. Monroe, Daniel S., Esq.
16. Rhodes, David P., Assistant United States Attorney, Chief,  
Appellate Division
17. Richardson, Montgomery (Magistrate)
18. Siekkinen, Sean, Assistant United States Attorney
19. Taylor, Laura Cofer, Assistant United States Attorney
20. Tran, Mai, Assistant United States Attorney
21. Zermay, Zachary (Defendant's attorney)
22. Zermay-Larosiére Law Group

No publicly traded company or corporation has an interest in the outcome of this appeal.

Respectfully submitted,

Respectfully submitted this 4th day of December, 2023,

/s/ Matthew Larosiere

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### **Certificate of Service**

I certify that a copy of the foregoing was sent by CM/ECF on December 4, 2023, and notice of this filing was electronically served on all parties there registered for service, including:

ALEX KING, ESQ.  
*Counsel for Kristopher Ervin*

SEAN SIEKKINEN,  
*Assistant United States Attorney*

/s/ Matthew Larosiere

Matthew Larosiere  
*Counsel for Appellant Matthew Hoover*